



Docket No.: 56086-CON 71699)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Signe E. Varner et al.

Application No.: 10/740,698

Confirmation No.: 3885

Filed: December 19, 2003

Art Unit: 3767

For: DEVICES FOR INTRAOCULAR DRUG
DELIVERY

Examiner: B. Huh

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

12/14/2006 EAREGAY1 00000073 041105 10740698

04 FC:1806 180.00 DA

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

Please charge our Deposit Account No. 04-1105 in the amount of \$3,390.00 covering the fees set forth in 37 CFR 1.17(p), 1.16(i), 1.16(h), and 1.16(j). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 56086CON(71699). A duplicate copy of this paper is enclosed.

Dated: December 11, 2006

Respectfully submitted,

By

Lisa Swiszc Hazzard

Registration No.: 44,368

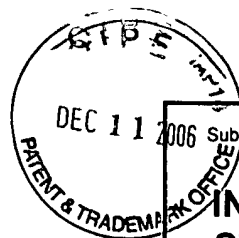
EDWARDS ANGELL PALMER & DODGE
LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant



Substitute for form 1449/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	10/740,698-Conf. #3885
			Filing Date	December 19, 2003
			First Named Inventor	Signe E. Varner
			Art Unit	3767
			Examiner Name	B. Huh
			Attorney Docket Number	56086CON(71699)
Sheet	1	of	3	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-273,410	03-06-1883	Wadleigh	
	AB*	US-3,416,530	12-17-1968	Ness	
	AC*	US-4,069,307	01-17-1978	Higuchi et al.	
	AD*	US-4,144,317	03-13-1979	Higuchi et al.	
	AE*	US-4,304,765	12-08-1981	Shell et al.	
	AF*	US-4,764,377	08-16-1988	Goodson	
	AG*	US-4,892,736	01-09-1990	Goodson	
	AH*	US-5,246,867	09-21-1993	Lakowicz et al.	
	AI*	US-5,501,856	03-26-1996	Ohtori et al.	
	AJ*	US-5,578,075	11-26-1996	Dayton	
	AK*	US-5,679,400	10-21-1997	Tuch	
	AL*	US-5,725,493	03-10-1998	Avery, et al.	
	AM*	US-5,766,242	06-16-1998	Wong et al.	
	AN*	US-5,773,019	06-30-1998	Ashton et al.	
	AO*	US-5,830,173	11-03-1998	Avery, et al.	
	AP*	US-5,989,579	11-23-1999	Darougar et al.	
	AQ*	US-6,153,252	11-28-2000	Hossainy et al.	
	AR*	US-6,177,095	01-23-2001	Sawhney et al.	
	AS*	US-6,187,370	02-13-2001	Dinh et al.	
	AT*	US-6,214,901	04-10-2001	Chudzik et al.	
	AU*	US-6,217,895	04-17-2001	Guo et al.	
	AV*	US-6,331,313	12-18-2001	Wong et al.	
	AW*	US-6344,035	02-05-2002	Chudzik et al.	
	AX*	US-6,375,972	04-23-2002	Guo et al.	
	AY*	US-6,399,144	06-04-2002	Dinh et al.	
	AZ*	US-6,399,655	06-04-2002	de Juan Jr.	
	AA1*	US-6,548,078	04-15-2003	Guo et al.	
	AB1*	US-6,713,081	03-30-2004	Robinson et al.	
	AC1*	US-6,719,750	02-28-2002	Varner et al.	
	AD1*	US-2002/0032434	03-14-2002	Chudzik et al.	
	AE1*	US-2002/0114823	08-22-2002	Sirhan et al.	
	AF1*	US-2002/0165265	11-07-2002	Hunter et al.	
	AG1*	US-2002/0168394	11-14-2002	Hossainy et al.	
	AH1*	US-2002/0188037	12-12-2002	Chudzik et al.	
	AI1*	US-2002/0198511	12-26-2002	Varner et al.	
	AJ1*	US-2003/0014036	01-16-2003	Varner et al.	
	AK1*	US-2003/0021828	01-30-2003	Guo et al.	
	AL1*	US-2003/0031780	02-13-2003	Chudzik et al.	
	AM1*	US-2003/0158598	08-21-2003	Ashton et al.	
	AN1*	US-2004/0022853	02-05-2004	Ashton et al.	
	AO1*	US-2004/0047911	03-11-2004	Lyu et al.	
	AP1*	US-2004/0121014	06-24-2004	Guo et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/740,698-Conf. #3885
				Filing Date	December 19, 2003
				First Named Inventor	Signe E. Varner
				Art Unit	3767
				Examiner Name	B. Huh
Sheet	2	of	3	Attorney Docket Number	56086CON(71699)

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-89/05664	06-29-1989	ALLIED-SIGNAL INC.		
	BB	WO-95/03036	02-02-1995	ANGIOGENESIS TECHNOLOGIES, INC		
	BC	WO-97/10011	03-20-1997	SCHNEIDER (USA) INC.		
	BD	WO-97/37640	10-16-1997	ALZA CORPORATION		
	BE	WO-98/32474	07-30-1998	STS BIOPOLYMERS, INC.		
	BF	WO-98/58690	12-30-1998	STS BIOPOLYMERS, INC.		
	BG	WO-99/01114	01-14-1999	EURO-CELTIQUE, S.A.		
	BH	WO-99/36071	07-22-1999	KOREA RESEARCH INSTITUTE OF CHEMICAL TECHNOLOGY		
	BI	WO-99/55396	11-04-1999	SURMODICS, INC.		
	BJ	WO-00/02564	01-20-2000	THE UNIVERSITY OF SYDNEY		
	BK	WO-00/21584	04-20-2000	BOSTON SCIENTIFIC LIMITED		
	BL	WO-01/08718	02-08-2001	EDWARDS LIFESCIENCES CORPORATION		
	BM	WO-01/30323	05-03-2001	OCULEX PHARMACEUTICALS, INC.		
	BN	WO-01/32140	05-10-2001	DAROUGAR, Sohrab		
	BO	WO-02/056790	07-25-2002	AVANTEC VASCULAR CORPORATION		
	BP	WO-02/17831	03-07-2002	JOHN HOPKINS UNIVERSITY		
	BQ	WO-03/026718	04-03-2003	COOK INCORPORATED		
	BR	WO-04/028477	04-08-2004	SURMODICS, INC.		
	BS	EP-0623354	04-20-1994	Berg et al.		
	BT	EA-0734721	03-20-1996	Eury et al.		
	BU	EA-0832655	06-10-1997	Ding et al.		
	BV	EP-0879595	04-21-1998	Ding et al.		
	BW	EP-0923953	06-19-1998	Ding et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/740,698-Conf. #3885
				Filing Date	December 19, 2003
				First Named Inventor	Signe E. Varner
				Art Unit	3767
				Examiner Name	B. Huh
Sheet	3	of	3	Attorney Docket Number	56086CON(71699)

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	Berger et al., "Intravitreal Sustained Release Corticosteroid-5-Fluoruracil Conjugate in the Treatment of Experimental Proliferative Vitreoretinopathy," <u>Investigative Ophthalmology & Visual Science</u> , Vol. 37, No. 2, pp. 2318-2325 (October, 1996).		
	CB	Berger et al., "Intravitreal Sustained Release Dexamethasone/5-FU Device in the Treatment of Experimental PVR," <u>Investigative Ophthalmology & Visual Science</u> , Vol. 35, No. 4, p. 1923 (March 15, 1994).		
	CC	Ishibashi et al., "Effects of Intravitreal Administration of Seroids on Experimental subretinal Neovascularization in the Subhuman Primate," <u>Arch Ophthalmol</u> , Vol. 103, pp. 708-711 (may 1985).		
	CD	Jaffee et al., "Intravitreal Sustained Release Triamcinolone/5-FU Conjugate Suspension in the Treatment of Experimental," <u>Investigative Ophthalmology & Visual Science</u> , Vol. 36, No. 4, p. S161 (March 15, 1995).		
	CE	Zhou et al., "A Multi-Drug Controlled-Release Implant for Intraocular Treatment of Proliferative Vitreoretinopathy," <u>Proc. Int. Symp. Control. re. Bioact. Mater.</u> , Vol. 24, pp. 625-626 (1997).		
	CF	Zhou et al., "Development of a multiple-drug delivery implant for intraocular management of proliferative vitreoretinopathy," <u>Journal of Controlled Release</u> , Vol. 55, pp. 281-295 (1998).		
	CG	Jaffee et al., "Safety and Pharmacokinetics of an Intraocular Fluocinolone Acetonide Sustained Delivery Device," <u>Investigative Ophthalmology & Visual Science</u> , Vol. 41, No. 11 pp. 3569-3575 (October 2000).		
	CH	Varner et al., "Development of a Minimally Invasive Intravitreal Implant for Drug Delivery," <u>ARVO Abstracts Online</u> , 4 pages (May 8, 2003).		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--